

**PLAINTIFF'S REQUEST FOR DISMISSAL WITHOUT PREJUDICE AND [PROPOSED] ORDER**

Pursuant to Rule 41 of the Federal Rules of Civil Procedure, Plaintiff Rodrigo Rivas ("Plaintiff") hereby requests that the above-named Complaint, in its entirety, be dismissed WITHOUT prejudice, and that the Court enter an Order of dismissal based thereon.

Dated: December 9, 2013

**DIVERSITY LAW GROUP, A  
PROFESSIONAL CORPORATION**

By: /s/ Larry W. Lee

Larry W. Lee


Attorneys for Plaintiff

RODRIGO RIVAS

IT IS SO ORDERED.

IT IS FURTHER ORDERED that defendants' "Motion to Dismiss or Stay Proceedings, To Compel Individual Arbitration, and to Strike Class, Collective and Representative PAGA Allegations" is DENIED as moot. <sup>1</sup>

Dated: December 11, 2013

  
The Honorable Maxine M. Chesney  
United States District Judge

<sup>1</sup>

In the absence of the above-referenced dismissal, the Court would find it appropriate to defer ruling on defendants' motion, pending the California Supreme Court's decision in Iskanian v. CLS Transportation of Los Angeles LLC, 147 Cal. Rptr. 3d 324 (Cal. 2012).